

Applicant : Richard A. Dermer
Serial No. : 09/846,923
Filed : April 30, 2001
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Attorney's Docket No.: 07844-444001 / P408

REMARKS

Applicant has made no amendments to the specification, claims or drawings. Original claims 1-32 are pending. Applicant thanks Examiner for examination and respectfully requests reconsideration of all pending claims.

In the Office Action, Examiner rejected claims 1-32 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. US 2003/0005412 by Eanes ("Eanes"). The filing date of Eanes is June 28, 2002 according to the cover of the publication. The filing date associated with the rejected claims of the present patent application is April 30, 2001. Because Eanes was not filed before the invention by Applicant as required by 35 U.S.C. § 102(e), Eanes is not a proper prior art reference. Therefore, Applicant respectfully submits that the rejection is moot.

Applicant requests allowance of the pending claims.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 2/3/05

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